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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NETCHOICE,

Plaintiff,

v.

**ROB BONTA, in his official capacity as
Attorney General of California,**

Defendant.

5:24-cv-07885-EJD-NMC

**STIPULATION TO SET BRIEFING
SCHEDULE AND HEARING DATE ON
MOTION FOR PRELIMINARY
INJUNCTION AND DEADLINE TO
RESPOND TO COMPLAINT;
[PROPOSED] ORDER**

*** AS MODIFIED ***

Hon. Edward J. Davila

Trial Date: None Set

Action Filed: November 12, 2024

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Attorneys for Plaintiff NetChoice

Pursuant to Local Rules 6-1(b), 6-2, and 7-12, Plaintiff NetChoice and Defendant Rob Bonta, in his official capacity as Attorney General of California (together, “the Parties”), hereby stipulate to and move for a briefing schedule for Plaintiff’s Motion for Preliminary Injunction to be set as follows:

- Defendant’s opposition to be filed no later than Wednesday, December 4, 2024.
- Plaintiff’s reply to be filed no later than Wednesday, December 11, 2024.

Further, the Parties stipulate to and move for the hearing date for Plaintiff’s Motion for Preliminary Injunction to be set for Tuesday, December 17, 2024, notwithstanding section IV(A) of this Court’s Standing Order for Civil Cases.

Finally, the Parties stipulate to and move for Defendant’s deadline to respond to the Complaint to be set at no later than twenty-one days following final resolution of the Motion for Preliminary Injunction, including any appellate proceedings.

Pursuant to Local Rule 6-2(a), the Parties have not previously requested a time modification in this case, nor do they anticipate that this stipulation will affect any other scheduled dates in this matter.

This stipulation is made, and relief requested, for the following reasons:

WHEREAS, on November 12, 2024, Defendant filed and served its Complaint and Motion for Preliminary Injunction;

WHEREAS, on November 14, 2024, the Parties conferred as to a proposed stipulated schedule;

WHEREAS, Plaintiff has requested that the Court rule on its Motion for Preliminary Injunction before January 1, 2025, the effective date of California Senate Bill 976, the statute on which this case is based;

WHEREAS, Defendant submits that the complexity of the Motion for Preliminary Injunction warrants an eight-day extension from the fourteen-day period set forth in Local Rule 7-3(a) to prepare an opposition;

WHEREAS, Plaintiff’s counsel have an unmovable scheduling conflict hindering their ability to participate in any hearing scheduled on December 18–20, 2024; and

1 WHEREAS, the Parties are cognizant of difficulties that may arise in attempting to set a
2 hearing date any closer to the Christmas and New Year's Day holidays:

3 IT IS HEREBY STIPULATED AND AGREED, by and among the Parties, through their
4 counsel of record, that:

5 1. Defendant shall file an opposition to the Motion for Preliminary Injunction no later
6 than December 4, 2024;

7 2. Plaintiff shall file its reply no later than December 11, 2024; and

8 3. The hearing date for the Motion for Preliminary Injunction shall be December 17,
9 2024; and

10 4. Defendant shall file its response to the Complaint no later than twenty-one days
11 following final resolution of the Motion for Preliminary Injunction, including any appellate
12 proceedings.

13 Dated: November 15, 2024

Respectfully submitted,

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15 ROB BONTA
Attorney General of California
16 MARK R. BECKINGTON
Supervising Deputy Attorney General
17 LARA HADDAD
Supervising Deputy Attorney General

18
19 /s/ Christopher J. Kissel
20 CHRISTOPHER J. KISSEL
Deputy Attorney General
21 *Attorneys for Defendant Rob Bonta, in his*
22 *official capacity as Attorney General of*
23 *California*
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1 Dated: November 15, 2024

/s/ *Bradley A. Benbrook*
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7 **PURSUANT TO STIPULATION, IT IS SO ORDERED, AS MODIFIED BELOW:**

- 8 1. Defendant shall file its opposition no later than **December 3, 2024, by 4:00 PM PST;**
9 2. Plaintiff shall file its reply no later than **December 9, 2024, by 4:00 PM PST;**
10 3. Plaintiff's Motion for Preliminary Injunction is set for hearing on **December 17, 2024,**
11 **at 9:00 AM,** in San Jose, Courtroom 4, 5th Floor.
12 4. Defendant's response to the Complaint shall be filed no later than 21 days following
13 final resolution of the Motion for Preliminary Injunction – including any appellate proceedings.

14 **SO ORDERED.**

16 Dated: November 15, 2024



HON. EDWARD J. DAVILA
UNITED STATES DISTRICT JUDGE